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Notice of Allowability

Application No.

10/777,506

Examiner

B. Clayton McCraw

Applicant(s)

BAUDAT, NED

Art Unit

3744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/19/2006.
2. ☒ The allowed claim(s) is/are 2-15 and 17-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 1/19/2006
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

REASONS FOR ALLOWANCE

1. Claims 2-15 and 17-23 are allowed.
2. The following is an examiner's statement of reasons for allowance: As per claim 2, the prior art fails to teach a tank positioned on a foundation with a vaporizer in liquid communication further comprising a heat exchange medium inlet and outlet stream, wherein the heat exchange medium outlet stream is routed through the foundation and at least a portion but not all of the heat exchange medium inlet stream is routed through the foundation. As per claim 3, the prior art fails to teach a tank positioned on a foundation with a vaporizer in liquid communication further comprising a heat exchange medium inlet and outlet stream, wherein the heat exchange medium outlet stream is routed through the foundation and further comprising a containment wall surrounding the tank, with the vaporizer supported by the containment wall. As per claim 4, the prior art fails to teach a tank positioned on a foundation with a vaporizer in liquid communication further comprising a heat exchange medium inlet and outlet stream, wherein the heat exchange medium outlet stream is routed through the foundation and further comprising a containment wall surrounding the tank and defining a containment area between the tank and a wall, with the vaporizer positioned within the containment area. As per claim 6, the prior art fails to teach a tank surrounded by a containment wall defining a containment area between the tank and wall, a vaporizer in liquid communication with the tank, and further comprising a heat exchange medium inlet and

Art Unit: 3744

outlet stream, wherein the heat exchange outlet stream is routed to discharge into the containment area. As per claim 11, the prior art fails to teach a tank positioned on a foundation and surrounded by a containment wall defining a containment area between the tank and wall, a vaporizer in liquid communication with the tank, and further comprising a heat exchange medium inlet and outlet stream, wherein a first portion of the heat exchange outlet stream is routed through the foundation, and a second portion of the heat exchange outlet stream is routed to discharge outside the containment area. As per claim 17, the prior art fails to teach a method of vaporizing a cryogenic liquid contained within a tank positioned on a foundation, the method comprising passing the cryogenic liquid from the tank to a vaporizer, introducing an inlet stream comprising heat exchange medium into the vaporizer to gasify the cryogenic liquid and cool the heat exchange medium, passing the cooled heat exchange medium through the foundation and comprising passing at least a portion but not all of the inlet stream through the foundation. As per claim 19, the prior art fails to teach a method of vaporizing a cryogenic liquid contained within a tank supported by a foundation and surrounded by a wall defining a containment area between the tank and wall, the method comprising, passing the cryogenic liquid from the tank to a vaporizer, introducing a stream comprising a heat exchange medium into the vaporizer to gasify the cryogenic liquid and cool the heat exchange medium and discharging the cooled heat exchange medium into a containment area. As per claim 23, the prior art fails to teach a method of vaporizing a cryogenic liquid contained within a tank supported by a foundation, and surrounded by a wall defining a containment area between the tank and wall, the

Art Unit: 3744

method comprising passing the cryogenic liquid from the tank to the vaporizer, introducing an inlet stream comprising a heat exchange medium into the vaporizer to gasify the cryogenic liquid and cool the heat exchange medium, passing a first portion of the cooled heat exchange medium through the foundation, and discharging a second portion of cooled heat exchange medium stream outside of the containment area.

Conclusion

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to B. Clayton McCraw whose telephone number is (571) 272-3665. The examiner can normally be reached on M-F 8:30AM-5:00PM.
5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler can be reached on (571) 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3744

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



BCM
4/24/2006



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SUPERVISORY PATENT EXAMINER